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PROPOSED ATTORNEY FOR DEBTOR

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE

KDS GROUP, PLLC

DEBTOR

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Case no.16-42101 -11

CHAPTER 11

**EMERGENCY MOTION FOR AUTHORITY TO USE OF CASH COLLATERAL**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW, KDS Group, PLLC (“Debtor”) and moves the Court under 11 U.S.C. §363 for Emergency Approval of Interim Use of Cash Collateral and would show the Court the following:

1. The Debtor filed a voluntary Chapter 11 Petition on November 17, 2016.
2. The Debtor must have cash to make payroll and to pay other immediate expenses to keep its doors open.
3. The Debtors business consists of the ownership and operation of a three dental offices.
4. Comerica Bank (“Comerica”) asserts a lien on the accounts receivable of the



Debtor (“Collateral”). This Collateral may constitute the cash collateral of Comerica as that term is defined in the Bankruptcy Code.

5. The Debtor is in immediately need to use the cash collateral of Comerica to maintain operations of the business. The continued operations of the Debtor will necessitate the use of the cash collateral.

6. The Debtor seeks to use the cash collateral of Comerica to make the payroll and continue operations. Debtor seeks interim use of the cash collateral for the uses set forth on Exhibit “A”.

7. An emergency exists in that the entire chance of the Debtor’s reorganizing depends on the Debtor’s ability to immediately obtain use the alleged Collateral of Comerica to continue operations of the company while effectuating a plan of reorganization.

8. The Debtor is willing to provide Comerica with replacement liens pursuant to 11U.S.C. section 552.

WHEREFORE, PREMISES CONSIDERED, the Debtor would request this matter be set down for an Emergency Hearing and that upon hearing, this Court enter and Order authorizing the Debtor’s use of the Cash Collateral of Comerica in the amounts set forth in Exhibit “A” and to grant Comerica adequate protection in the form of replacement liens under 11 U.S.C. section 552, and for such other and further relief as the Debtor may show itself justly entitled.

Respectfully submitted,

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By: /s/ Eric Liepins  
Eric A. Liepins, SBN 12338110

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Certificate of Service

I hereby certify that a true and correct copy of the foregoing Motion was sent via telecopy or mail to Comerica through their counsel of record, Vincent, Serafino, Geary, Waddell & Jenevin, 214-9798-7402 and the United States Trustee on the 22nd day of November 2016.

/s/ Eric Liepins  
Eric A. Liepins